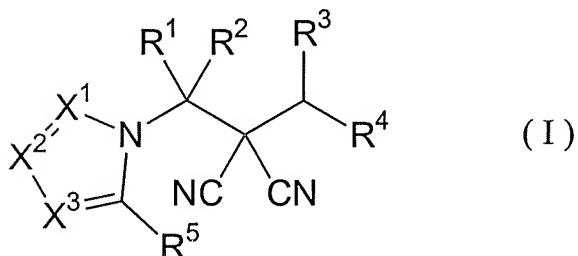


AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A malononitrile compound represented by the formula (I):



, wherein, in the formula,

R<sup>1</sup> represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom or a hydrogen atom;

R<sup>2</sup> represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a cyano group or a hydrogen atom;

each of R<sup>3</sup> and R<sup>4</sup> represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C5 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C4-C5 cycloalkenyl group optionally substituted by at least one halogen atom or a hydrogen atom, or represents a C2-C6 alkanediyl group optionally substituted by at least one halogen atom or C4-C6 alkenediyl group optionally substituted by at least one halogen atom in which R<sup>3</sup> and R<sup>4</sup> are coupled one another at the end thereof;

each of X<sup>1</sup>, X<sup>2</sup> and X<sup>3</sup> represents a nitrogen atom or a CR<sup>6</sup>;

each of R<sup>5</sup> and R<sup>6</sup> represents a halogen atom, a cyano group, a nitro group, a hydroxyl group, a mercapto group, a formyl group, a SF<sub>5</sub> group, a carboxyl group, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3

alkyl group, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C3-C6 alkenyloxy group optionally substituted by at least one halogen atom, a C3-C6 alkynyloxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom, a C3-C5 alkenylthio group optionally substituted by at least one halogen atom, a C3-C5 alkynylthio group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxycarbonyl group optionally substituted by at least one halogen atom, a group designated by  $\text{NR}^{10}\text{R}^{11}$ , a group designated by  $\text{C}(=\text{X}^5)\text{NR}^{12}\text{NR}^{13}$ , a group designated by  $(\text{CH}_2)_m\text{Q}$ , a group designated by  $\text{C}(=\text{NOR}^{17})\text{R}^{18}$  or a hydrogen atom;

in case of two atoms are adjoined and each of the adjoined two atoms is bonded with one of  $\text{R}^5$  and  $\text{R}^6$  or two  $\text{R}^6$ s; the  $\text{R}^5$  and  $\text{R}^6$ , which are bonded with the adjoined two atoms or the two  $\text{R}^6$ s, which are bonded with the adjoined two atoms, may be coupled one another at the end thereof and represent a C2-C6 alkanediyl group optionally substituted by at least one halogen atom or C4-C6 alkenediyl group [[. And]], and in this case, at least one methylene group structuring said alkanediyl group or said alkenediyl group may be replaced by an oxygen atom a sulfur atom or  $\text{NR}^7$  group;

$\text{R}^7$  represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C3-C5 alkenyl group optionally substituted by at least one halogen atom, a C3-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxycarbonyl group optionally substituted by at least one halogen atom or a hydrogen atom;

each of  $\text{R}^{10}$  and  $\text{R}^{11}$  represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C3-C5 alkenyl group optionally substituted by at least one halogen atom, a C3-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a (C1-C5 alkoxy group optionally substituted by at least one halogen atom) C1-C3 alkyl group, a C1-C5

alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxy carbonyl group optionally substituted by at least one halogen atom or a hydrogen atom;

each of R<sup>12</sup> and R<sup>13</sup> represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C3-C5 alkenyl group optionally substituted by at least one halogen atom, a C3-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a group designated by (CH<sub>2</sub>)<sub>m</sub>Q or a hydrogen atom;

or represents a C2-C6 alkanediyl group optionally substituted by at least one halogen atom or C4-C6 alkenediyl group optionally substituted by at least one halogen atom in which R<sup>12</sup> and R<sup>13</sup> are coupled one another at the end thereof;

each of R<sup>17</sup> and R<sup>18</sup> represents a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C3-C5 alkenyl group optionally substituted by at least one halogen atom, a C3-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a group designated by (CH<sub>2</sub>)<sub>m</sub>Q or a hydrogen atom;

Q represents an aryl group optionally substituted by at least one R<sup>14</sup>;

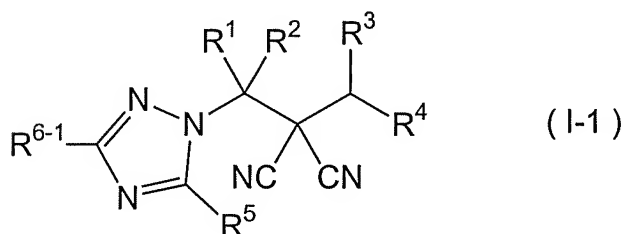
each of R<sup>14</sup>s represents

a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, C1-C5 alkylthio group optionally substituted by at least one halogen atom, a C3-C5 alkenylthio group optionally substituted by at least one halogen atom, a C3-C5 alkynylthio group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, C2-C5 alkoxy carbonyl group optionally substituted by at least one halogen atom or a halogen atom;

m represents an integer of from 0 to 5;

X<sup>5</sup> represents an oxygen atom or a sulfur atom.

2. (Original) The malononitrile compound according to claim 1, which is represented by the formula (I-1):

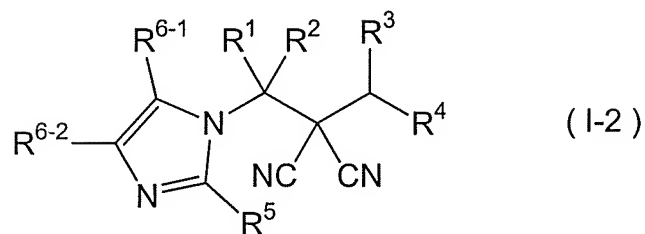


, wherein, in the formula,

R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> have the same meaning as defined in claim 1;

each of R<sup>5</sup> and R<sup>6-1</sup> represents a halogen atom, a cyano group, a nitro group, a hydroxyl group, a mercapto group, a formyl group, a SF<sub>5</sub> group, a carboxyl group, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C3-C6 alkenyloxy group optionally substituted by at least one halogen atom, a C3-C6 alkynyloxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom, a C3-C5 alkenylthio group optionally substituted by at least one halogen atom, a C3-C5 alkynylthio group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxy carbonyl group optionally substituted by at least one halogen atom, a phenyl group or a hydrogen atom.

3. (Original) The malononitrile compound according to claim 1, which is represented by the formula (I-2):

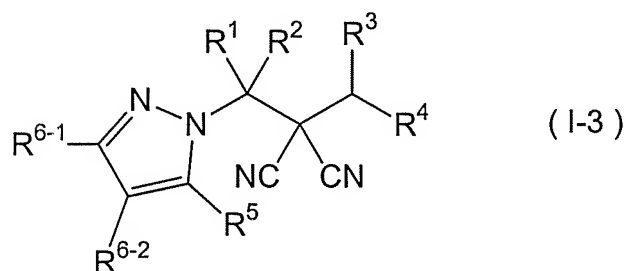


, wherein, in the formula,

$R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$  have the same meaning as defined in claim 1;

each of  $R^5$ ,  $R^{6-1}$  and  $R^{6-2}$  represents a halogen atom, a cyano group, a nitro group, a hydroxyl group, a mercapto group, a formyl group, a  $SF_5$  group, a carboxyl group, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C3-C6 alkenyloxy group optionally substituted by at least one halogen atom, a C3-C6 alkynyloxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom, a C3-C5 alkenylthio group optionally substituted by at least one halogen atom, a C3-C5 alkynylthio group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxy carbonyl group optionally substituted by at least one halogen atom, a phenyl group or a hydrogen atom.

4. (Original) The malononitrile compound according to claim 1, which is represented by the formula (I-3):

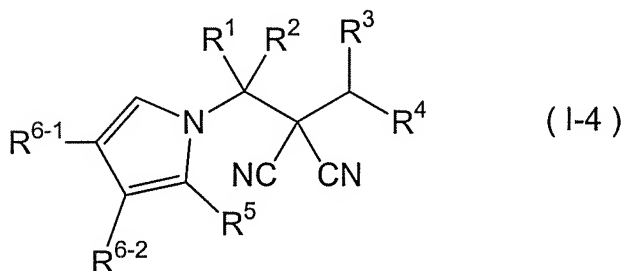


, wherein, in the formula,

$R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$  have the same meaning as defined in claim 1;

each of  $R^5$ ,  $R^{6-1}$  and  $R^{6-2}$  represents a halogen atom, a cyano group, a nitro group, a hydroxyl group, a mercapto group, a formyl group, a  $SF_5$  group, a carboxyl group, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C3-C6 alkenyloxy group optionally substituted by at least one halogen atom, a C3-C6 alkynyloxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom, a C3-C5 alkenylthio group optionally substituted by at least one halogen atom, a C3-C5 alkynylthio group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxy carbonyl group optionally substituted by at least one halogen atom, a phenyl group or a hydrogen atom.

5. (Original) The malononitrile compound according to claim 1, which is represented by the formula (I-4):



, wherein, in the formula,

$R^1$ ,  $R^2$ ,  $R^3$  and  $R^4$  have the same meaning as defined in claim 1;

each of  $R^5$ ,  $R^{6-1}$  and  $R^{6-2}$  represents a halogen atom, a cyano group, a nitro group, a hydroxyl group, a mercapto group, a formyl group, a  $SF_5$  group, a carboxyl group, a C1-C5 alkyl group

optionally substituted by at least one halogen atom, a C2-C5 alkenyl group optionally substituted by at least one halogen atom, a C2-C5 alkynyl group optionally substituted by at least one halogen atom, a C3-C6 cycloalkyl group optionally substituted by at least one halogen atom or at least one C1-C3 alkyl group, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C3-C6 alkenyloxy group optionally substituted by at least one halogen atom, a C3-C6 alkynyloxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom, a C3-C5 alkenylthio group optionally substituted by at least one halogen atom, a C3-C5 alkynylthio group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfinyl group optionally substituted by at least one halogen atom, a C1-C5 alkylsulfonyl group optionally substituted by at least one halogen atom, a C2-C6 alkylcarbonyl group optionally substituted by at least one halogen atom, a C2-C5 alkoxy carbonyl group optionally substituted by at least one halogen atom, a phenyl group or a hydrogen atom.

6. **(Currently Amended)** The malononitrile compound according to any one of claim 2 to claim 5, wherein

R<sup>5</sup> is a hydrogen atom;

each of  $[[R^5]]$ ,  $\underline{R^6}$ , R<sup>6-1</sup> and R<sup>6-2</sup> is a halogen atom, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom or a hydrogen atom.

7. **(Original)** The malononitrile compound according to any one of claim 2 to claim 5, wherein

R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>5</sup> are hydrogen atoms;

R<sup>4</sup> is a C1-C5 alkyl group optionally substituted by at least one halogen atom or a C2-C5 alkenyl group optionally substituted by at least one halogen atom;

each of  $R^{6-1}$  and  $R^{6-2}$  is a halogen atom, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom or a hydrogen atom.

8. (Original) The malononitrile compound according to any one of claim 2 to claim 5, wherein

$R^1$ ,  $R^2$ ,  $R^3$  and  $R^5$  are hydrogen atoms;

$R^4$  is a 2,2,2-trifluoroethyl group or a vinyl group;

each of  $R^{6-1}$  and  $R^{6-2}$  is a halogen atom, a C1-C5 alkyl group optionally substituted by at least one halogen atom, a C1-C5 alkoxy group optionally substituted by at least one halogen atom, a C1-C5 alkylthio group optionally substituted by at least one halogen atom or a hydrogen atom.

9. (Original) A pesticide composition comprising an effective amount of the malononitrile compound according to claim 1 and a carrier.

10. (Original) A method for controlling pests comprising applying an effective amount of the malononitrile compound according to claim 1 to pests or at a habitat of pests.

11. (Original) Use of the malononitrile compound according to claim 1 for pest control agent.